

URGENT

सेवा में,

- | | |
|--|---|
| 1. मुख्य सचिव,
उत्तराखण्ड शासन। | 2. अपर मुख्य सचिव,
उत्तराखण्ड शासन। |
| 3. समस्त प्रमुख सचिव,
उत्तराखण्ड शासन | 4. समस्त सचिव,
उत्तराखण्ड शासन। |
| 5. मण्डलायुक्त,
गढ़वाल/कुमायूँ। | 6. समस्त जिलाधिकारी/
जिला निर्वाचन अधिकारी,
उत्तराखण्ड। |

विषय:- लोक सभा के लिए सामान्य निर्वाचन, 2009-निर्वाचन की घोषणा के फलस्वरूप प्रभावी आदर्श आचार संहिता के संबंध में आयोग के निर्देशों का प्रेषण।

महोदय/महोदया,

लोक सभा सामान्य निर्वाचन, 2009 की घोषणा के उपरान्त प्रभावी आदर्श आचार संहिता के संबंध में आयोग के निर्देशों से संबंधित भा०नि०आ० के पत्र संख्या 437/6/1/2009-CC&BE दिनांक 02 मार्च, 2009 की प्रतिलिपि संलग्न करते हुए मुझे यह कहने का निदेश हुआ है कि आयोग द्वारा लोक सभा सामान्य निर्वाचन, 2009 की घोषणा के फलस्वरूप प्रभावी आदर्श आचार संहिता की अवधि में सांसद/विधायक निधि से धनराशि अवमुक्त किये जाने के संबंध में आवश्यक दिशा-निर्देश निर्गत किये गए हैं, जिनका सारांश निम्नवत है:-

1. आदर्श आचार संहिता प्रभावी रहने की अवधि में सांसद क्षेत्र विकास निधि एवं विधायक क्षेत्र विकास निधि के अर्न्तगत कोई नवीन स्वीकृति निर्गत नहीं की जायेगी।
2. ऐसे निर्माण कार्य, जिसमें कार्य आदेश निर्गत नहीं किये गये हो, भी आदर्श आचार संहिता लागू रहने की अवधि तक प्रतिबन्धित रहेंगे।
3. निर्माण कार्यों के बारे में यह उल्लेख किया गया है कि जहाँ पर कार्य आदेश निर्गत नहीं हुए हो, वहाँ पर चुनाव कार्यक्रम पूर्ण होने के पश्चात ही इस दिशा में अग्रेत्तर कार्यवाही हो।
4. चालू निर्माण कार्यों पर कार्यपूर्ति के पश्चात देय धनराशि के भुगतान पर पूर्ण संतुष्टि के पश्चात किसी प्रकार का प्रतिबन्ध नहीं है।

भारत निर्वाचन आयोग के उक्त दिशा-निर्देशों को राज्य सरकार में अनुपालन हेतु समस्त प्रमुख सचिव/सचिव/मण्डलायुक्त/जिलाधिकारियों/विभागाध्यक्षों एवं निजी सचिव, भा० मंत्रीगण को परिचालित किया गया है। इसके अनुसार निम्नानुसार कार्यवाही करना अपेक्षित है। भारत निर्वाचन आयोग के दिशा-निर्देशों का कतिपय सारांश निम्नवत है:-

- क. जिन निर्माण कार्यों हेतु कार्यदेश निर्गत हुए हों परन्तु स्थल पर कार्य प्रारम्भ नहीं किया गया हो, उक्त स्थिति में निर्वाचन प्रक्रिया पूर्ण होने के पश्चात ही स्थल पर कार्य प्रारम्भ किया जाय।
- ख. जिन निर्माण कार्यों के संबंध में टेण्डर प्रकाशित हो चुका है परन्तु कार्य आदेश निर्गत नहीं हुआ हो, उस परिस्थिति में निर्वाचन प्रक्रिया पूर्ण होने जाय।

- ग. जिन निर्माण कार्यों के संबंध में टेण्डर प्रकाशित हो चुका हो परन्तु टेण्डर को अंतिम नहीं किया हो, ऐसी परिस्थिति में निर्वाचन प्रक्रिया पूर्ण होने तक टेण्डर को अंतिमीकरण प्रक्रिया को स्थगित रखा जाय।
- घ. जिन कार्यों के विषय पर शासनादेश निर्गत हुआ हो परन्तु टेण्डर प्रकाशित नहीं किया गया, उक्त स्थिति में टेण्डर प्रकाशन निर्वाचन प्रक्रिया पूर्ण होने तक स्थगित रखा जाय।

आदर्श आचार संहिता प्रभावी होने पर मा0 मंत्रियों के शासकीय कार्य/चुनाव कार्य के संबंध में आयोग के महत्वपूर्ण निर्देश निम्न है:-


1. मा0 मंत्रियों द्वारा निर्वाचन कार्य हेतु शासकीय वाहन का प्रयोग पूर्णतः प्रतिबन्धित है। अपने निवास से कार्यालय एवं वापसी (इस मध्य में कोई चुनाव कार्य सम्पादन न हो) यात्रा हेतु शासकीय वाहन का प्रयोग किया जा सकता है।
2. अपने शासकीय कार्यालय के अतिरिक्त किसी अन्य स्थान पर अधिकारियों की बैठक आहूत करना प्रतिबन्धित है। (यथा-किसी विश्रामगृह/किसी शासकीय विभाग के क्षेत्रीय कार्यालय इत्यादि)।
3. शासन द्वारा मंत्रिगणों को उपलब्ध किये गये उपरोक्त शासकीय वाहन के अतिरिक्त राज्य सरकार/स्थानीय निकाय/सार्वजनिक उपक्रम/परिषद/सहकारी समिति/ मण्डी समिति/ जिला पंचायत, क्षेत्र समिति इत्यादि, किसी भी श्रोत से वाहन की व्यवस्था के लिए निर्देश दिया जाना प्रतिबन्धित है।
4. राज्य कर्मियों का चुनाव प्रचार कार्यक्रम में सहयोग प्राप्त करना पूर्णतः प्रतिबन्धित है। मंत्रियों को निजी स्टाफ का उपयोग मात्र शासकीय दायित्वों के निर्वहन में किया जा सकता है। निजी स्टाफ को किसी प्रकार चुनाव प्रचार कार्य के दौरे में ले जाना प्रतिबन्धित है।
5. शासकीय दायित्वों के निर्वहन के लिए उपलब्ध की गयी सुविधा (यथा-टैलीफोन/ मोबाईल फोन/फोटो कापियर/कम्प्यूटर/फैक्स मशीन/टाईप राईटर इत्यादि) का प्रयोग मात्र शासकीय दायित्वों के निर्वहन के लिए किया जाना चाहिए। शासकीय संयन्त्र/सम्पत्ति का चुनाव प्रचार कार्यक्रमों एवं प्रक्रिया में प्रयोग प्रतिबन्धित है।
6. शासकीय यात्रा के अतिरिक्त जिसमें आवास से कार्यालय एवं कार्यालय से आवास तक की ही यात्रा सम्मिलित है, अन्य समस्त प्रकार की यात्रा अशासकीय परिभाषित होंगी। निर्वाचन कार्यक्रम के तहत की गयी यात्रा के अवसर पर विभिन्न शासकीय डाक बंगले/विश्राम गृह इत्यादि पर हुए व्यय का भुगतान संबंधित मंत्रियों द्वारा वहन किया जायेगा।
7. आदर्श आचार संहिता प्रभावी होने से निर्वाचन प्रक्रिया पूर्ण होने तक मा0 मंत्रीगणों को शासकीय आतिथ्य अनुमन्य नहीं होगा।
8. मा0 मंत्रिगणों के साथ सम्बद्ध सुरक्षा कर्मियों हेतु जो वाहन व्यवस्था विद्यमान है, यथावत रहेगा।
9. मा0 मंत्रिगणों के अतिरिक्त मा0 सांसद, मा0 विधायक/समस्त जन प्रतिनिधि जिन्हें राज्य सरकार द्वारा दायित्वधारी महानुभाव नियुक्त किया है, पर भी आदर्श आचार संहिता यथानुरूप लागू होगी।
10. ऐसे समस्त लोक सेवक जो किसी मा0 मंत्री के संबंधित निर्वाचन क्षेत्र, में व्यक्तिगत भ्रमण के दौरान मुलाकात करता है वह लोक सेवक आचारण सेवा नियमावली के कदाचार का दोषी माना जायेगा, ऐसे किसी भी लोक सेवक के विरु 1951 की धारा 129 (1) के अन्तर्गत आवश्यक कार्यवाही क

उक्त के अतिरिक्त आदर्श आचार संहिता के दौरान "क्या करना एवं क्या नहीं करना" विषयक इस कार्यालय के पत्र संख्या 887 दिनांक 16 जनवरी, 2007 (प्रतिलिपि संलग्न) के साथ संलग्न आयोग के निर्देशों का भी भली-भाँति अध्ययन करते हुए कड़ाई से अनुपालन सुनिश्चित किया जाय।

कृपया तदनुसार आयोग के निर्देशों का भली-भाँति अध्ययन करते हुए कड़ाई से अनुपालन सुनिश्चित करने का कष्ट करें। आयोग के उक्त निर्देशों से समस्त रिटर्निंग/सहायक रिटर्निंग आफिसरों, निर्वाचन से संबंधित अन्य अधिकारियों, समस्त मान्यता प्राप्त राजनैतिक दलों के अध्यक्षों, निर्वाचन लड़ने वाले अभ्यर्थियों आदि को अवगत कराते हुए कड़ाई से अनुपालन सुनिश्चित करने हेतु निर्देशित करने का कष्ट करें।

संलग्न-यथोपरि।

भवदीया,

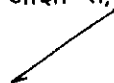

(डा० हेमलता ढोंडियाल)
मुख्य निर्वाचन अधिकारी

पृ०संख्या /XXV-19(1-3)/2008 , तददिनांक।

प्रतिलिपि निम्नांकित भारत निर्वाचन आयोग के उपरोक्त पत्रों की प्रति सहित सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित:-

1. निजी सचिव, मा० मुख्यमंत्री जी, उत्तराखण्ड सरकार।
2. निजी सचिव, समस्त मा० मंत्रीगण, उत्तराखण्ड सरकार।
3. स्थानिक आयुक्त, उत्तराखण्ड, नई दिल्ली।
4. मुख्य व्यवस्थाधिकारी, उत्तराखण्ड निवास, नई दिल्ली।

आज्ञा से,


(डा० हेमलता ढोंडियाल)
मुख्य निर्वाचन अधिकारी

ELECTION COMMISSION OF INDIA

NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI-110001

No. 437/6/1/2009-CC&BE

Dated: 2nd March 2009

To

1. **The Cabinet Secretary,**
Government of India,
Rashtrapati Bhawan,
New Delhi.
2. **The Chief Secretaries to the Governments of**
all States and Union Territories
3. **The Chief Electoral Officers of :-**
all States and Union Territories

Sub: Application of Model Code of Conduct – General Election to Lok Sabha - 2009 – reg.

Sir,

I am directed to state that the Commission has announced the schedule for holding General Elections to Lok Sabha and to the Legislative Assemblies of the States of Andhra Pradesh, Orissa and Sikkim including certain bye-elections (Press Note dated 2nd March 2009 available at Commission's web-site – www.eci.gov.in).

2) With this announcement, the provisions of the Model Code of Conduct for the guidance of the Political Parties and Candidates have come into force with immediate effect and will be in force till the completion of the General Elections. This may be brought to the notice of the Central / State Governments, all Ministries/Departments and all other offices of the Union Government and the State Government of the State.

3) Your particular attention is drawn to clause VII of Model Code, which states that :-

“Party in Power

The party in power whether at the Centre or in the State or States concerned, shall ensure that no cause is given for any complaint that it has used its official position for the purposes of its election campaign and in particular -

(i) (a) The Ministers shall not combine their official visit with electioneering work and shall not also make use of official machinery or personnel during the electioneering work;

(b) Government transport including official aircrafts, vehicles, machinery and personnel shall not be used for furtherance of the interest of the party in power

(ii) Public places such as maidans etc., for holding election meetings, and use of helipads for air-flights in connection with elections shall not be monopolized by itself. Other parties and candidates shall be allowed the use of such places and facilities on the same terms and conditions on which they are used by the party in power;

(iii) Rest houses, Dak Bungalows or other Government accommodation shall not be monopolized by the party in power or its candidates and such accommodation shall be allowed to be used by other parties and candidates in a fair manner but no party or candidate shall use or be allowed to use such accommodation (including premises appertaining thereto) as a campaign office or for holding any public meeting for the purposes of election propaganda;

(iv) Issue of advertisement at the cost of public exchequer in the newspapers and other media and the misuse of official mass media during the election period for partisan coverage of political news and publicity regarding achievements with a view to furthering the prospects of the party in power shall be scrupulously avoided.

(v) Ministers and other authorities shall not sanction grants/payments out of discretionary funds from the time elections are announced by the Commission; and

(vi) From the time elections are announced by Commission, Ministers and other authorities shall not –

(a) announce any financial grants in any form or promises thereof; **or**

(b) (except civil servants) lay foundation stones etc. of projects or schemes of any kind; **or**

(c) make any promise of construction of roads, provision of drinking water facilities etc.; **or**

(d) make any ad-hoc appointments in Government, Public Undertakings etc. which may have the effect of influencing the voters in favour of the party in power.

(vii) Ministers of Central or State Government shall not enter any polling station or place of counting except in their capacity as a candidate or voter or authorised agent.”

4) The Commission directs that there shall be a total ban on the transfer of all officers/officials connected with the conduct of the election. These include but are not restricted to: -

i) The Chief Electoral Officer and Additional/Joint/Deputy Chief Electoral Officers;

ii) Divisional Commissioners;

iii) The District Election Officers, Returning Officers, Assistant Returning Officers and other Revenue Officers connected with the Conduct of Election;

- iv) Officers of the Police Department connected with the management of election like range IGs and DIGs, Senior Superintendents of Police and Superintendents of Police, Sub-Divisional Police Officers like Deputy Superintendents of Police and other Police officers who are deputed to the Commission under section 28A of the Representation of the People Act, 1951;
- 5) The transfer orders issued in respect of the above categories of officers prior to the date of announcement but not implemented till date should not be given effect to without obtaining specific permission from the Commission in this regard;
- 6) This ban shall be effective till the completion of the election. The Commission further directs that the State Governments should refrain from making transfers of senior officers who have a role in the management of election in the State;
- 7) In those cases where transfer of an officer is necessary on account of administrative exigencies, the concerned State Government may with full justification approach the Commission for prior clearance.
- 8) The receipt of the letter may kindly be acknowledged.

Yours faithfully,

(K. AJAY KUMAR)
SECRETARY

ELECTION COMMISSION OF INDIA

NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI-110001

No. 437/6/1/2009-CC&BE

Dated: 2nd March, 2009

To

1. **The Cabinet Secretary,**
Government of India,
Rashtrapati Bhawan,
New Delhi.
2. **The Secretary to the Government of India,**
Department of Programme Implementation,
Sardar Patel Bhawan,
New Delhi.
3. **The Chief Secretaries to the Governments of :-**
all States and Union Territories.
4. **The Chief Electoral Officers of :-**
all States and Union Territories.

**Subject: General Election to Lok Sabha – 2009 - Release of funds under
MPs'/MLAs' Local Area Development Scheme.**

Sir,

I am directed to refer to the Commission's Press Note dated **2nd March, 2009** (Press Note available at Commission's web-site – **www.eci.gov.in**) as per which the Commission has announced the enforcement of the Model Code of Conduct for the guidance of the Political Parties and Candidates, consequent on the announcement of General Election to Lok Sabha and to the Legislative Assemblies of the States of Andhra Pradesh, Orissa and Sikkim including certain bye-elections.

2. The Commission has considered the release of funds under the Member of Parliament Local Area Development Schemes and has decided that-

- a) No fresh release of funds under the Member of Parliament (including Rajya Sabha members) Local Area Development fund shall be made in any part of the country where election is in progress. Similarly no fresh release of funds under

the MLAs'/ MLCs' Local Area Development Fund shall be made, if any such scheme is in operation, till the completion of election process.

- b) No work shall start in respect of which work orders have been issued before the issue of this letter but the work has actually not started in the field. These works can start only after the completion of election process. However, if a work has actually started, that can continue.
- c) There shall be no bar to the release of payments for completed work(s) subject to the full satisfaction of the concerned officials.

Yours faithfully,

(K. AJAY KUMAR)
SECRETARY

कार्यालय : मुख्य निर्वाचन अधिकारी, उत्तराखण्ड
2 - सुभाष रोड़, सचिवालय परिसर, देहरादून - 248001

फोन नं० (0135) - 2712044, 2713551

फैक्स नं० (0135) - 2713724, 2712040

संख्या 887 / 25-XXV-1(1-1) / 2006

देहरादून : दिनांक 16 जनवरी, 2007

सेवा में,

1. मण्डलायुक्त,
गढ़वाल/कुमायूँ मण्डल।
2. समस्त जिलाधिकारी/
जिला निर्वाचन अधिकारी,
उत्तराखण्ड।

विषय:- विधान सभा सामान्य निर्वाचन, 2007- आदर्श आचार संहिता-क्या करना एवं क्या नहीं करना के सम्बन्ध में आयोग के निर्देशों का प्रेषण।

महोदय/महोदया,

उपरोक्त विषयक विधान सभा सामान्य निर्वाचन, 2007 की घोषणा के आदर्श आचार संहिता के अन्तर्गत क्या करना एवं क्या नहीं करना है, से संबंधित आयोग के पत्र संख्या 464 / INST / 2007-PLN-I दिनांक 07 जनवरी, 2007 की प्रतिलिपि संलग्न कर इस आशय से प्रेषित की जा रही है कि कृपया आदर्श आचार संहिता के संबंध में आयोग के निर्देशों भली-भाँति अध्ययन करते हुए तदनुसार समस्त निर्वाचन से संबंधित अधिकारियों तथा समस्त राजनैतिक दलों के प्रतिनिधियों/अभ्यर्थियों आदि को अगवत कराते हुए आयोग के निर्देशों का अक्षरशः अनुपाल सुनिश्चित किया जाय।

आयोग के उक्त निर्देशों का हिन्दी रूपान्तरण यथाशीघ्र आपको पृथक से प्रेषित कर दिया जायेगा।

संलग्न-यथोपरि।

भवदीय,
N

(गान्धि प्रति प्रतक)

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001

464/INST/2007-PLN-I

Dated: 07.01.07

To,

Chief Secretary, of States and UTs

Chief Electoral Officer of States and UTs

SUB: - CODE OF CONDUCT – DO's & 'DONT's

The Commission has issued various instructions on observance of code of conduct from time to time. Important aspects of the code of conduct are reiterated below:

On Welfare schemes and governmental works:

1. **Announcement of new projects or programme or concessions or financial grants in any form or promises thereof or laying of foundation stones, etc., which have the effect of influencing the voters in favour of the party in power is prohibited.**
2. These restrictions apply equally to new schemes and also ongoing schemes. But it does not mean that in the case of national, regional and State utility schemes, which have already been brought up to the stage of completion, their utilization or functioning in public interest should be stopped or delayed. The coming into force of the Model Code of Conduct cannot be given as an excuse for not commissioning such schemes or allowing them to remain idle. At the same time, it should be ensured that the commissioning of such schemes is done by civil authority and without associating political functionaries and without any fanfare or ceremonies whatever, so that no impression is given or created that such commissioning has been done with a view to influencing the electorate in favour of the ruling party. If in doubt, a clarification should be obtained from Chief Electoral Officer/Election Commission of India.
3. It is further clarified that simply because a budget provision has been made for any particular scheme or the scheme has been sanctioned earlier or a reference to the scheme was made in the address of the Governor or the budget speech of the Minister it does not automatically mean that such schemes can be announced or inaugurated or otherwise taken up after the announcement of elections while the

Model Code of conduct is in operation, since they will clearly be intended to influence the voters. Such actions if undertaken will be considered a violation of the model code of conduct.

4. **No fresh sanctions for governmental schemes should be made. Review by political executive (Ministers etc.) and processing of beneficiary oriented schemes, even if ongoing, should be stopped till completion of elections. No fresh release of funds on welfare schemes and works should be made or contract for works awarded in any part of the state where election is in progress without prior permission of the Commission. This includes works under the Member of Parliament (including Rajya Sabha members) Local Area Development fund or MLAs / MLCs Local Area Development Fund, if any such scheme is in operation in the state.**
5. **No work shall start in respect of which even if work orders have been issued before the model code came into effect, if the work has actually not started in the field. These works can start only after the completion of election process. However, if a work has actually started, that can continue.**
6. There shall be no bar to the release of payments for completed work(s) subject to the full satisfaction of the concerned officials.
7. Commission does not refuse approval for schemes undertaken for tackling emergencies or unforeseen calamities like providing relief to people suffering from drought, floods, pestilences, other natural calamities or welfare measures for the aged, infirm etc. In these matters, however, prior approval of the Commission should be taken and all ostentatious functions should be strictly avoided and no impression should be given or allowed to be created that such welfare measures or relief and rehabilitation works are being undertaken by the Government in office so as to influence the electors in favour of the party in power which at the same time will adversely affect the prospects of the other parties.

On Transfers and posting of officials:

The Commission directs that there shall be a total ban on the transfer of all officers/officials connected with the conduct of the election. These include but are not restricted to: -

- (i) The Chief Electoral Officer and Additional/Joint/Deputy Chief Electoral Officers;
- (ii) Divisional Commissioners;

- (iii) The District Election Officers, Returning Officers, Assistant Returning Officers and other Revenue Officers connected with the Conduct of Elections;
- (iv) Officers of the Police Department connected with the management of elections like range IGs and DIGs, Senior Superintendents of Police and Superintendents of Police, Sub-divisional level Police Officers like Deputy Superintendents of Police and other Police officers who are deputed to the Commission under section 28A of the Representation of the People Act, 1951;
- (v) Other officers drafted for election works like sector and zonal officers, Transport cell, EVM cell, Poll material procurement & distribution cell, Training cell, Printing Cell etc. Senior officers, who have a role in the management of election in the State, are also covered by this direction.
- (vi) The transfer orders issued in respect of the above categories of officers prior to the date of announcement but not implemented till the time when model code came into effect should not be given effect to without obtaining specific permission from the Commission.
- (vii) This ban shall be effective till the completion of the election process.
- (viii) In those cases where transfer of an officer is considered necessary on account of administrative exigencies, the State Government may, with full justification, approach the Commission for prior clearance.
- (ix) **No appointments or promotions in Government / Public Undertakings shall be made during this period, without prior clearance of the Commission.**

On Misuse of Official Machinery:

1. Official vehicles cannot be used for electioneering work. 'Official Vehicles' include all vehicles belonging to the -

- Central Government,
- State Government,
- Public Undertakings of the Central and State Government,
- Joint Sector Undertakings of Central and State Government,
- Local Bodies, Municipal Corporations, Municipalities,
- Marketing Boards (by whatever name known),
- Cooperative Societies,
- Autonomous District Councils, or
- Any other body in which public funds, howsoever small a portion of the total, are invested, and also
- Vehicles belonging to the Ministry of Defense and the Central Police Organizations under the Ministry of Home Affairs and State Governments.

2. **It is open for a minister of the Union or State to make private visits using his or her private vehicle(s). For such private visits, the official personal staff of the ministers shall not accompany them. However, if a Minister is traveling in some emergent situation, out of his HQ on purely official business, which cannot be avoided in public interest, then a letter certifying to this effect should be sent from the Secretary concerned of the Department to the Chief Secretary of the state where the Minister intends to visit, with a copy to the Commission. During such tour, the Chief Secretary may provide the Minister with Government vehicle and accommodation and other usual courtesies for his official trip. However, immediately preceding or during or in continuation of such an official tour, no minister can carry out or combine any election campaign or political activity. The Commission will keep watch on such arrangements in due consultation with its Chief Electoral Officer.**
3. No Minister, whether of union or state, will summon any election related officer of the constituency or the State, for any official discussions during the period of elections commencing with the announcement of the elections. Only exception will be when a Minister, in his capacity as in charge of the department concerned, or a Chief Minister undertakes an official visit to a constituency, in connection with failure of law and order or a natural calamity or any such emergency which requires personal presence of such Ministers/Chief Ministers for the specific purpose of supervising review/salvage/relief and such like purpose.
4. **Ministers are entitled to use their official vehicles only for commuting from their official residence to their office for official work provided that such commuting is not combined with any electioneering or any political activity.**
5. **Ministers, whether of the Union or State, shall not combine in any manner their official tours with election work.**
6. **Whether on a private or official visit, no pilot car(s) or car(s) with beacon lights of any colour or car(s) affixed with sirens of any kind shall be used by any political functionary, even if the State administration has granted him a security cover requiring presence of armed guards to accompany him on such visit. This is applicable whether the vehicle is government owned or private owned.**
7. Any official who meets the Minister on his private visit to the constituency where elections are being held shall be guilty of misconduct under the relevant service rules; and if he happens to be an official mentioned in Section 129 (1) of the Representation of People Act, 1951, he shall also

be additionally considered to have violated the statutory provisions of that Section and liable to penal action provided thereunder.

OTHER 'DOS AND DON'TS' FOR THE GUIDANCE OF THE CANDIDATES AND POLITICAL PARTIES TO BE OBSERVED FROM THE ANNOUNCEMENT OF AN ELECTION AND UNTIL THE COMPLETION OF THE PROCESS OF ELECTION.

The Commission has drawn up a list of 'dos' and 'don'ts' to be followed by candidates and political parties after the announcement of elections and till the completion of the process of elections. The Commission has directed that this be given the widest possible publicity and its contents brought to the knowledge of all candidates and political parties including in the official language of the State.

It must be clearly brought to the notice of candidates and political parties that the list of 'Dos' and 'Donts' is only illustrative and not exhaustive and is not intended to substitute or modify other detailed directions/instructions on the above subjects, which must be strictly observed and followed.

DO'S'

- (1) Ongoing programmes, which actually started in the field before the announcement of elections may continue.**
- (2) Relief and rehabilitation measures to the people in areas affected by floods, drought, pestilence, and other natural calamities, can commence and continue.
- (3) Grant of cash or medical facilities to terminally or critically ill persons can continue with appropriate approvals.
- (4) Public places like maidans must be available impartially to all parties/contesting candidates for holding election meetings. So also use of helipads must be available impartially to all parties/contesting candidates, to ensure a level playing field.
- (5) Criticism of other political parties and candidates should relate to their policies, programme, past record and work.
- (6) The right of every individual for peaceful and undisturbed home life should be fully safeguarded.
- (7) The local police authorities should be fully informed of the venue and time of the proposed meetings well in time and all necessary permissions taken.**
- (8) If there are any restrictive or prohibitory orders in force in the place of the proposed meeting, they shall be fully respected. Exemption, if necessary, must be applied for and obtained well in time.
- (9) Permission must be obtained for the use of loudspeakers or any other such facilities for the proposed meetings.**

- (10) The assistance of the police should be obtained in dealing with persons disturbing meetings or otherwise creating disorder.
- (11) **The time and place of the starting of any procession, the route to be followed and the time and place at which the procession will terminate should be settled in advance and advance permissions obtained from the police authorities.**
- (12) The existence of any restrictive orders in force in the localities through which the procession has to pass should be ascertained and fully complied with. So also all traffic regulations and other restrictions.
- (13) The passage of the procession must be without hindrance to traffic.
- (14) Cooperation should be extended to all election officials at all times to ensure peaceful and orderly poll.
- (15) All Workers must display badges or identity cards.
- (16) Unofficial identity slips issued to voters shall be on plain (white) paper and not contain any symbol, name of the candidate or name of the party.
- (17) Restrictions on plying of vehicles during the campaign period and on poll day shall be fully obeyed.
- (18) (Except voters, candidates and their election/polling agents), only persons with a specific valid authority letter from the Election Commission can enter any polling booth. No functionary however highly placed (e.g. Chief Minister, Minister, MP or MLA etc) is exempt from this condition.
- (19) Any complaint or problem regarding the conduct of elections shall be brought to the notice of the observer appointed by the Commission/Returning Officer/Zonal/Sector Magistrate/Election Commission of India.
- (20) Directions/orders/instructions of the Election Commission, the Returning Officer, and the District Election Officer shall be obeyed in all matters related to various aspects of election.
- (21) Do leave the constituency after the campaign period is over if you are not a voter or a candidate or candidate's election agent from that constituency.

DON'Ts

- (1) Any and all advertisements at the cost of the public exchequer regarding achievements of the party/Government in power as prohibited.
- (2) **No Minister shall enter any polling station or the place of counting, unless he or she is a candidate or as a voter only for voting.**
- (3) **Official work should not at all be mixed with campaigning/electioneering.**
- (4) No inducement, financial or otherwise, shall be offered to the voter.
- (5) Caste/communal feelings of the electors shall not be appealed to.

- (6) No activity, which may aggravate existing differences or create mutual hatred or cause tension between different castes, communities or religious or linguistic groups shall be attempted.
- (7) No aspect of the private life, not connected with the public activities, of the leaders or workers of other parties shall be permitted to be criticized.
- (8) Other parties or their workers shall not be criticized based on unverified allegations or on distortions.
- (9) Temples, mosques, churches, gurudwaras or any place of worship shall not be used as places for election propaganda, including speeches, posters, music etc., on electioneering.
- (10) Activities which are corrupt practices or electoral offences such as bribery, undue influence, intimidation of voters, personation, canvassing within 100 meters of a polling station, holding of public meetings during the period of 48 hours ending with the hour fixed for the close of the poll and conveyance of voters to and from polling stations are prohibited.
- (11) Demonstrations or picketing before the houses of individuals by way of protesting against their opinion or activities shall not be resorted to.
- (12) **Subject to the local laws, no one can make use of any individual's land, building, compound wall, vehicles etc. for erecting flag staffs, putting up banners, pasting notices or writing slogans etc. without specific permission of the owner (to be shown to and deposited with the District Election Officer).**
- (13) No disturbances shall be created in public meetings or processions organised by other political parties or candidates.
- (14) **Processions along places at which another party is holding meetings shall not be undertaken.**
- (15) Processionists shall not carry any articles, which are capable of being misused as missiles or weapons.
- (16) Posters issued by other parties and candidates shall not be removed or defaced.
- (17) Posters, flags, symbols or any other propaganda material shall not be displayed in the place being used on the day of poll for distribution of identity slips or near polling booths.
- (18) Loudspeakers whether static or mounted on moving vehicles shall not be used either before 6 a.m. or after 10a.m. and without the prior written permission of the authorities concerned.

- (19) Loudspeakers shall also not be used at public meetings and processions without the prior written permission of the authorities concerned. Normally, such meetings/processions will not be allowed to continue beyond 10.00 p.m. in the night and will be further subject to the local laws, local perceptions of the security arrangements of the area and other relevant considerations like weather conditions, festival season, examination period, etc.
- (20) No liquor should be distributed during elections.
- (21) **On the day of the poll, no person who has been assessed to be having a security threat and therefore given official security shall enter the vicinity of a polling station premise (within 100 meters) with his security personnel. Further, on the day of the poll no such person shall move around in a constituency with his security personnel. If the person provided with official security happens to be a voter also, then he or she shall restrict his / her movement - accompanied by security personnel, to voting only.**
- (22) **No person who has been assessed to be having a security threat and therefore provided official security or who has private security guards for himself, shall be appointed as an election agent or polling agent or counting agent.**

NOTE: The above list of Do's' and Don'ts' is only illustrative and not exhaustive and is not intended to substitute any other detailed orders, directions/instructions on the above subjects, which must be strictly observed and followed.

The clarification/approval of the Election Commission of India/Chief Electoral Officer of your State should be obtained in cases of doubt.

Please acknowledge the receipt of this letter.

Your's faithfully,

Sd/-
(Jai Priye Prakash)
Deputy Election Commissioner